

REMARKS

Claims 1-7 and 10-35 are pending. Claims 7, 10, 19, 20, 24, 26-30, 32 and 33 stand withdrawn.

Claim 1 is amended. Support for the amendment to claim 1 is found in former claim 8. Claim 35 is new. Support for claim 35 is found in the feature removed from amended claim 1. No new matter is added. Claim 8 is canceled without disclaimer of or prejudice to the subject matter of the claim. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Marcetich in the July 9, 2010 personal interview and the July 12, 2010 telephone interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

The Office Action asserts that the priority documents have not been received in this application. Because this application is a national stage entry of PCT/JP2004/000991, the Examiner is respectfully requested to retrieve the priority documents from the appropriate international bureau.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (as the amendments and new claim 35 amplify issues previously discussed throughout prosecution); and (c) do not present any additional claims without canceling a corresponding number of finally rejected claims. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. During the July 12 telephone interview, the Examiner indicated that the amendments herein would be entered without an RCE. Entry of the amendments is thus respectfully requested.

The Office Action rejects claims 1-6, 11-14, 18 and 34 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,364,992 to Ito et al. ("Ito") in view of U.S. Patent No. 5,830,202 to Bogdanski et al. ("Bogdanski") and further in view of U.S. Patent No. 5,895,381 to Osborn; rejects claim 8 under 35 U.S.C. §103(a) as being unpatentable over Ito, in view of Bogdanski and Osborn, and further in view of U.S. Patent Application Publication No. 2003/0089633 to Sorebo et al. ("Sorebo"); rejects claims 15-17 under 35 U.S.C. §103(a) as being unpatentable over Ito, in view of Bogdanski and Osborn, and further in view of U.S. Patent No. 4,846,813 to Raley; rejects claims 21, 23, 25 and 31 under 35 U.S.C. §103(a) as being unpatentable over Ito, in view of Bogdanski and Osborn, and further in view of U.S. Patent No. 5,954,201 to Finch et al. ("Finch"); and rejects claim 22 under 35 U.S.C. §103(a) as being unpatentable over Ito, in view of Bogdanski, Osborn and Finch, and further in view of U.S. Patent No. 5,674,214 to Visscher et al. ("Visscher"). These rejections are respectfully traversed.

Claim 1 is amended to incorporate the subject matter of claim 8. Amended claim 1 recites, among other features, "in which an area of the sheet where the two bags are not provided occupies 50% or less of an area of the entirety of the sheet in the leak preventer."

The Office Action asserts that Sorebo would have rendered obvious this feature.

However, one of ordinary skill in the art would not have been motivated to combine Sorebo in the asserted manner with Ito, Bogdanski and Osborn. During the July 9 personal interview, as shown in the Interview Summary, the Examiner found this argument persuasive and agreed to withdraw the rejection of Sorebo.

For at least the above reasons, Ito, Bogdanski, Osborn and Sorebo cannot reasonably be considered to teach, or to have rendered obvious, all of the features positively recited in independent claim 1. Further, Raley, Finch and Visscher are not applied in any manner that would overcome the above-identified shortfall in the application of Ito, Bogdanski, Osborn

and Sorebo to the subject matter of independent claim 1. To any extent that Ito, Bogdanski, Osborn and Sorebo are even combinable with Raley, Finch and Visscher, a conclusion which Applicants do not concede, no permissible combination of these references can reasonably be considered to have rendered obvious the combination of all of the features positively recited in claims 2-6, 11-18, 21-23, 25, 31 and 34, for at least the respective dependence of these claims directly on an allowable base claim, as well as the separately allowable subject matter that these claims recite.

Accordingly, reconsideration and withdrawal of the rejections of claims 1-6, 11-18, 21-23, 25, 31 and 34 under 35 U.S.C. §103(a) as being unpatentable over the applied references are respectfully requested.

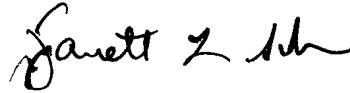
In addition, in view of the removal of the rejection, claim 1 is believed to be allowable. Rejoinder of claims 7, 10, 19, 20, 24, 26-30, 32 and 33 is respectfully requested for their dependence on an allowable base claim.

Claim 35 is new and corresponds to the feature removed from claim 1. Claim 35 is allowable for its dependence on an allowable base claim, as well as the separately allowable subject matter that this claim recites.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 and 10-35 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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